

# Exhibit 104

*United States of America ex rel. Ven-a-Care of the Florida Keys, Inc. v. Boehringer Ingelheim Corp. et al.*

Civil Action No. 07-10248-PBS

Exhibit to the July 24, 2009, Declaration of James J. Fauci  
In Support of Plaintiff's Motion for Partial Summary Judgment and  
In Opposition to the Roxane Defendants' Motion For Partial Summary Judgment



Boehringer Ingelheim  
Roxane Laboratories

**FACSIMILE COVER SHEET**

Roxane Laboratories, Inc.

TO: *I Wechsler*

COMPANY:

FAX #: *954-217-4132*

PHONE #:

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FROM: David J. Lanzillotta  
Contract Analyst II

COMPANY: Roxane Laboratories, Inc. / Boehringer Ingelheim  
Pharmaceuticals

FAX #: 614/276-3786

PHONE#: 800/848-0120 (Ext 2249)

P. O. Box 16532  
Columbus, Ohio 43216-6532  
Telephone (614) 276-4000  
Telefax (614) 274-0974

DATE SENT: *1-26*

PAGES INCLUDING THIS COVER: *2*

- ☐ Original hard copy will follow via US Mail  
☐ Original hard copy will follow via Overnight Mail/Federal  
Express  
☒ This facsimile message is the only document you will  
receive

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COMMENTS:

RLI-TX 37225  
Highly Confidential  
Attorneys' Eyes Only

RLI-AWP-00136577  
ROX035-4347



Boehringer Ingelheim  
Roxane Laboratories

January 4, 2001

Mr. Dan Movens  
V.P. Purchasing  
Anda Generics, Inc.  
2915 Weston Rd.  
Weston, FL 33331

Roxane Laboratories, Inc.

**FILE COPY**

Dear Mr. Movens:

Due to changes in market conditions, Roxane Laboratories, Inc. offers the following price reduction for the following item on our current agreement.

**NDC**

<b><u>NO. 00054-</u></b>	<b><u>PRODUCT DESCRIPTION</u></b>	<b><u>PRICE</u></b>	<b><u>AWP</u></b>
2247-25	Hydroxyurea Capsules USP, 500mg, Bottle of 100	\$ 25.50/C	\$127.73

The WAC Price for item 00054-2247-25 is \$51.50.

This price will be effective January 8, 2001 through November 30, 2001.

If you have any questions regarding this offer, please contact our Contract Sales and Administration Office Toll Free at 800-848-0120, Ext:2253. If you have any questions regarding the products or services of Roxane Laboratories, please contact Customer Service Toll Free at 800-520-1631, or Fax 800-520-1666.

P. O. Box 16532  
Columbus, Ohio 43216-6532  
Telephone (614) 276-4000  
Telefax (614) 274-0974

**NOTE TO WHOLESALER(S):**

Should you receive a copy of this offer from the customer expecting to be billed at these prices but have not received a confirming "Award Notification" from Roxane, please contact the undersigned immediately in order to avoid misbillings and rejected chargeback claims. Thank you.

In the event a Roxane multi-source item should, at a later date, become a sole-source or a sole-generic item available exclusively from Roxane, the company reserves the option to adjust the contract prices awarded prior to the original contract expiration date.

Roxane Laboratories, Inc. and you shall maintain the confidentiality of the terms and conditions of this agreement for its duration and for three years following. Any breach of this confidentiality is cause for immediate termination of this agreement.

**RLI-TX 37226**  
**Highly Confidential**  
**Attorneys' Eyes Only**

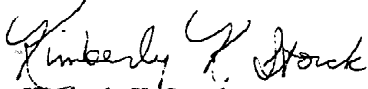
RLI-AWP-00136578  
ROX035-4348



Boehringer Ingelheim  
Roxane Laboratories

January 5, 2001  
Mr. Dan Movens  
Anda Generics, Inc.  
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Best regards,

  
Kimberly K. Storck  
Contract Analyst II

KKS/bjr

File #:2009012

cc: I. Wechsler  
P. Sciortino  
D. Gordon

**RLI-TX 37227**  
**Highly Confidential**  
**Attorneys' Eyes Only**

RLI-AWP-00136579  
ROX035-4349